

JASON M. FRIERSON
United States Attorney
Nevada Bar No. 7709
JULIE A.K. CUMMINGS, SBN HI 10635
Special Assistant United States Attorney
Office of Program Litigation, Office 7
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235
Telephone: (410) 966-1551
Facsimile: (415) 744-0134
E-Mail: Julie.Cummings@SSA.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANGEIL AUSTIN,

Plaintiff,

vs.

CAROLYN COLVIN,
Acting Commissioner of Social Security,¹

Defendant.

Case 2:24-cv-01598-MDC

UNOPPOSED MOTION FOR
EXTENSION OF TIME
(*FIRST REQUEST*)

Defendant, the Commissioner of Social Security, respectfully requests an extension of 30 days in which to respond to Plaintiff's Motion for Reversal and/or Remand (ECF No. 12), filed on November 26, 2024, changing the date on which Defendant's response is due to from December 26, 2024 to January 27, 2025. This is Defendant's first request for an extension to respond to Plaintiff's motion. Counsel for Defendant conferred with a representative for counsel for Plaintiff on December 23, 2024, and confirmed that Plaintiff has no objection to this request.

¹ Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn Colvin should be substituted for Martin O'Malley as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Defendant makes this request in good faith and for good cause. I request this extension in
2 order to further consider the administrative record in light of the issues raised in Plaintiff's motion.
3 While I have been diligently trying to complete the review of this case file, I additionally have had
4 several briefs due in recent days in this and other district courts. In the next month, I have seven
5 more briefs due in various district courts of the Ninth Circuit, including this one. Accordingly, I
6 ask the Court for more time so that I can properly represent the Commissioner in this and my other
7 matters.

8 For these reasons, the Commissioner respectfully requests that the Court grant this motion
9 for an extension of 30 days for Defendant to respond to Plaintiff's Opening Brief.

10 DATED December 23, 2024.

Respectfully submitted,

11 JASON M. FRIERSON
12 United States Attorney

13 s/ Julie A.K. Cummings
14 JULIE A.K. CUMMINGS
15 Special Assistant United States Attorney
16 Office of Program Litigation, Office 7

17 Attorneys for Defendant

18
19
20 IT IS SO ORDERED:

21 Defendant's response to plaintiff's motion for reversal and/or remand (ECF No. 12) is
22 due on or before January 27, 2025.

23
24 
25 HON. MAXIMILIANO D. COUVILLIER, III
26 UNITED STATES MAGISTRATE JUDGE

27 DATED: 12/30/2024
28